



File No. 38625-0016 LSC:aeY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 09/728,970
Filing Date : 12/04/2000
Group Art Unit: 2664
Examiner : CHIN, WELLINGTON
Title : FLEXIBLE MULTIPLEXER/DEMULTIPLEXER AND METHOD FOR
TRANSPORT OF OPTICAL LINE DATA TO A WIDE/METRO AREA
LINK
Applicant : Bisson et al
Our File : 38625-0016

RECEIVED

OCT 31 2003

Technology Center 2600

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Forms PTO/SB/08A and PTO/SB/08 are brought to the attention of the Examiner. These references were cited in a corresponding European application. A copy of the European Search Report, dated July 31, 2003, is also enclosed.

In accordance with 37 C.F.R. §1.98 (a)(2), a copy of each document or other information listed on the enclosed Forms PTO/SB/08A and PTO/SB/08 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §102 and 103 and Applicants reserve the right, pursuant to 37

C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art". Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Forms PTO/SB/08A and PTO/SB/08, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Moreover, the undersigned hereby states that the references enclosed herewith were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement (37 CFR 1.97(e)(1)). Accordingly, it is respectfully submitted that no fee is due in conjunction with the filing of the enclosed Forms PTO/SB/08A and PTO/SB/08.

**Our self-addressed stamped return post card is enclosed herewith.
Please date stamp this and return the same to us.**

Respectfully submitted,

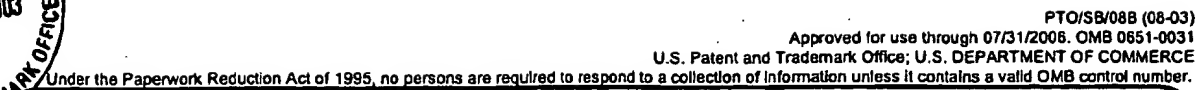
October 29, 2003
LSC:aeY

By: _____



Lynn S. Cassan (32,378)
Agent for the Applicant

CASSAN MACLEAN
80 Aberdeen Street, Suite 401
Ottawa, Ontario, Canada, K1S 5R5
Tel: (613) 238-6404



Attorney Docket Number	38625-0016
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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



2664
RS
#8
11-4-03

PTO/SB/21 (08-03)
Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/728,970
	Filing Date	12/04/2000
	First Named Inventor	Bisson
	Art Unit	2664
	Examiner Name	CHIN, WELLINGTON
Total Number of Pages in This Submission	Attorney Docket Number	38625-0016

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Lynn S. Cassan (32,378)
Signature	
Date	10/29/2003

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	
Signature	Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



2664/18
JFW
PATENT
4450-0444PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Germain P. BISSON, et al. Conf.: 3989
Appl. No.: 09/728,970 Group: 2664
Filed: December 4, 2000 Examiner: BRENDA PHAM
For: FLEXIBLE MULTIPLEXER/DEMULTIPLEXER AND METHOD
FOR TRANSPORT OF OPTICAL LINE DATA TO A
WIDE/METRO AREA LINK

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 11, 2005

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. ☒ Copies of cited U.S. patents and patent application publications are not included. Copies of foreign patent documents and non-patent literature are included.
- b. ☐ Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

a. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

b. ☐ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEES

IV. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):
(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. *(This section is not to be used with RCE's.)*
- b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. ☐ concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
- d. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required.
In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. ☐ No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
- or
- b. ☐ See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☐ **each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or**
- b. ☐ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- c. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- d. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)

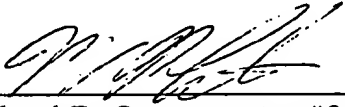
- ☒ A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- ☐ Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. This paper is submitted in triplicate.
- ☐ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

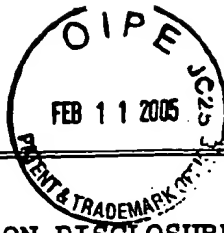
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Michael R. Cammarata, #39,491

MRC/CJB:cb
4450-0444PUS1

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s): ☒ PTO-1449
☒ Documents
☐ Foreign Search Report
☒ Fee
☐ Other:



Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

ATTY. DOCKET NO.
4450-444PUS1APPLICATION NO.
09/728,970APPLICANT
Germain P. BISSON, et al.FILING DATE
December 4, 2000GROUP
2664**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
B.P.	US 5,537,405		1996-07-16	Yoshifuji	—	—	
B.P.	US 5,485,298		1996-01-16	Haas	—	—	
B.P.	US 5,361,255		1994-11-01	Diaz, et al.	—	—	
B.P.	US 6,118,795		2000-09-01	Fukunaga, et al.	—	—	
B.P.	US 5,416,772		1995-05-01	Helton, et al.	—	—	
B.P.	US 6,058,119		2000-05-01	Engbersen, et al.	—	—	
B.P.	US 6,147,968		2000-11-01	De Moer, et al.	—	—	
B.P.	US 5,257,261		1993-10-01	Parruck, et al.	—	—	
B.P.	US 5,461,622		1995-10-01	Bleickardt, et al.	—	—	
B.P.	US 6,526,069		2003-02-01	Wolf, et al.	—	—	
B.P.	US 5,568,486		10-1996	Huscroft, et al.	—	—	

FOREIGN PATENT DOCUMENTS

	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
								YES	NO

OTHER DOCUMENTS

(Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)

B.P. Yuko Nakano, et al., "Signal Processing for SDH Digital Cross-Connect System," IEEE International Conference on Communications, Vol. 2, pp. 900-904, 1993

EXAMINER

Brenda A. Pham

DATE CONSIDERED

May 24, 2005

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.